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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,740	06/19/2001	Paolo Cittadini	6502-1515	6536

7590

07/14/2003

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EXAMINER

TRAN A, PHI DIEU N

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/868,740

Applicant(s)

CITTADINI ET AL.

Examiner

Phi D A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6,8-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 and 8-15 is/are allowed.
- 6) ☒ Claim(s) 16 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Terminal Disclaimer***

1. The terminal disclaimer filed on 4/28/03 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. 6136407 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Claim Objections***

2. Claims 16, 18 are objected to because of the following informalities:

Claim 16 lines 3 and 5 “realizing ...” is confusing. It is unclear what kind of process “realizing” is. Is applicant providing, thinking, producing, ....the structure step?

Claim 18 lines 6, 9, 18 “continuous, continuous” is misspelled.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Copp et al (4875728).

Copp et al shows a main section bar (23, figure 2) of elongation conformation and provided with a longitudinal seat (the slot which part 26 goes into), a continuous support element (26) extending substantially over an entire longitudinal development of the main section bar (23) and presenting a pre-set number of attachment seats (24) positioned at a pre-set

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mutual distance, the main section bar and the support element axially fastened by bolts (80, figure 3).

Copp et al shows all the claimed structures. The claimed method steps for the manufacturing of the moulding element and for the assembling the same to a motor vehicle body would have been the obvious method steps of manufacturing of the moulding element and for the assembling the same to a motor vehicle body of Copp et al's structures.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Copp et al (4875728) in view of Meyer (4011635).

Copp et al shows a moulding element (figure 2) comprising a main section bar (23) of elongated conformation, attachment means (20) operatively associated with the main section bar (23) and destined to engage corresponding securing area (16) of the body of a motor vehicle, the attachment means including a continuous support element (26) extending substantially over an entire longitudinal development of the main section bar and engaged to the main section bar, the support element presenting a plurality of attachment seats (24) delimited at least in one side of the continuous support element destined to face the body by a peripheral lip, the attachment seats being located at a pre-set mutual distance for engaging a projection each, a longitudinal seat (the slot of 23 where part 26 seats) on the main section bar for receiving the continuous support element, the longitudinal seat presenting a cross section a longitudinal opening to allow access to said attachment seats and undercuts (the bottom side of part 74 which contacts the edges of part 26) acting in opposition on a corresponding bearing portion (26) of the continuous support element (26).

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Copp et al does not show the peripheral lip delimiting for each attachment seats at least a large area for the insertion of a fastening projection and at least a small area for blocking the fastening projection in an axial direction of motion of the moulding element away from the body, the small area having the same shape and dimension.

Meyer (figure 4) shows a support member having a peripheral lip (40) delimiting for each attachment seats at least a large area (48) for the insertion of a fastening projection and at least a small area (49, 50 and the narrower opening) for blocking the fastening projection in an axial direction of motion of the moulding element away from the body.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Copp et al to show the peripheral lip delimiting for each attachment seats at least a large area for the insertion of a fastening projection and at least a small area for blocking the fastening projection in an axial direction of motion of the moulding element away from the body as taught by Mayer, the small area having the same shape and dimension because having the delimiting larger and smaller areas on the lip would enable the easy fastening and holding in position of the trim member to a vehicle, and having the small area of the same dimension would allow for easy design, assembly, and manufacturing of the fasteners connecting the trim to a vehicle per the utilization of minimal number of types of fasteners.

***Allowable Subject Matter***

6. Claims 1-6, 8-15 are allowed.

***Response to Arguments***

7. Applicant's arguments with respect to claims 16, 18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different vehicle trim attachment means.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 703-306-9136. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Phi Dieu Tran A  
July 8, 2003

*PA*

**LANNA MAI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600**

*Lanna Mai*